

SENATE CHAMBER,
AUSTIN, TEXAS, Thursday, May 18, 1871.

Senate met pursuant to adjournment; President Campbell presiding.

Roll called; no quorum present.

Absent—Senators Cole, Latimer, Mills, Parsons, Saylor, Shannon and Tendick.

Absent—excused—Senator Evans.

Senator Baker moved that the Senate take a recess until 10 A. M. Carried.

So the Senate, at 9:05 A. M., took a recess until 10 A. M.

IN SENATE, 10 O'CLOCK A. M.

Roll called; quorum present.

Absent—Senators Broughton, Cole and Ford.

Absent—excused—Senator Evans.

Prayer by the Chaplain.

On motion of Senator Rawson, the reading of the journal of yesterday was dispensed with.

On motion of Senator Fountain, leave was granted to the parties presenting a petition for relief of the heirs of James Rogers to withdraw the same.

On motion of Senator Fountain, the rules were suspended to take from file House bill No. 578, "An act to define and establish the boundary line between the counties of Live Oak and Nueces." Read second time and passed to a third reading.

On motion of Senator Fountain, the rules were further suspended and House bill No. 578 read third time and passed.

Senator Ruby submitted the following report of Committee on Engrossed Bills:

COMMITTEE ROOM,
AUSTIN, May 17, 1871.

Hon. DON CAMPBELL,

President of the Senate:

SIR: Your Committee on Engrossed Bills, having examined and compared Senate bill No. 393, "An act authorizing and requiring the county tax for the years 1870 and 1871, collected by other counties from persons and upon property situated in San Jacinto county, to be paid to San Jacinto county," find the same to be correctly engrossed.

G. T. RUBY,
E. L. DOHONEY,
P. W. HALL.

Report read and received, and Senate bill No. 393 carried to the House for concurrence.

REPORTS OF SELECT COMMITTEES.

Reports of Select Committee on Senate joint resolution No. 31, relating to the annexation of Santo Domingo to the United States :

COMMITTEE ROOM,
AUSTIN, May 8, 1871.

Hon. DON CAMPBELL.

President of the Senate :

SIR : Your Select Committee to whom was referred Senate joint resolution No. 31, relating to the annexation of Santo Domingo to the United States, have carefully considered the same, and would respectfully submit the following report :

Your committee deem it quite unnecessary, at the present time, to enter into a full discussion of the merits of said resolution, but would merely submit a few of the many reasons, now before the public, which have influenced their action in the premises.

First—No portion of the territory of the United States, as now constituted, reaches within the tropics, or within the boundaries of the West Indies. The possession of Santo Domingo would supply this important desideratum.

Second—The Government of Santo Domingo has voluntarily sought annexation to the United States, in preference to uniting her territory and her fortunes with any other neighboring power.

Third—The free institutions of the United States, and the liberal public policy thereof, have doubtless inspired the Dominicans with the reasonable hope of success in their suit, which should not be deferred except for grave reasons of State.

Your Committee, therefore, recommend the passage of Senate joint resolution No. 31.

Respectfully,

E. PETTIT, Chairman.
MATTHEW GAINES.
COMMITTEE ROOM,
AUSTIN, May 16, 1871.

Hon. DON CAMPBELL,

President of the Senate :

SIR : The undersigned members of Select Committee, to whom was referred Senate joint resolution No. 31, relative to the acquisition of San Domingo have considered the same and submit the following as their report :

It is believed that the American Government, as a right, should,

and sooner or later will have the guidance, direction and control of the Islands adjacent to its shores in North American seas; and that as the acquisition of San Domingo will be but a step in the attainment of that result the undersigned do not regard it as objectionable, or feel disposed to look upon it with unfriendliness.

Situated as San Domingo is upon the outskirts, in some respects, of the principal group of islands in the West India and Caribbean seas, its acquisition could but tend to hasten the acquisition of the whole group lying between it and our own shores, and between it and our own great inland sea, the Mexican Gulf.

In this view, its acquisition, as it would tend to hem in the groups and hasten our acquisition of them, is not undesirable.

This whole group stands in the doorway and blocks up the entrance to the Gulf of Mexico, which is but a great inland North American sea of vast importance to us and to which we should have unobstructed access.

Whatever tends to transfer this group to the control of this Government ought to commend itself to the American people.

Besides, San Domingo would serve us as a naval station in the Caribbean sea, and in this respect its acquisition would be of importance.

If it can be acquired without a disregard of international rights, its acquisition appears to be not only not objectionable, but desirable.

It might be added here, though not strictly called for, that the vigor of American political institutions and American civilization makes them eminently and inevitably, but justly, aggressive. No narrow policy should be thrown in their way to obstruct their spread; nor should it be regarded as unnatural or unfortunate if their spread should so extend itself as speedily to encompass the whole north half of the continent, from Panama, in the tropics, to the frozen seas.

The undersigned, therefore, see no objection to the object of the resolution, and therefore recommend that it be adopted.

Respectfully,

E. B. PICKETT,
A. J. FOUNTAIN.

Reports read and on motion of Senator Pettit, the rules were suspended to consider the report and resolution.

Resolution read second time.

On motion of Senator Pettit, the resolution was adopted by the following vote:

Yeas—Mr. President, Baker, Bell, Flanagan, Ford, Fountain, Gaines, Hall, Hertzberg, Hiliebrand, Parsons, Pettit, Pickett, Pridgen, Ruby, Saylor, Tendick—17.

Nays—Bowers, Broughton, Dohoney, Douglass, Latimer, Mills, Pyle, Rawson, Shannon—9.

On motion of Senator Fountain, the caption of the resolution was amended so as to read Senate concurrent resolution No. 7, instead of Senate joint resolution No. 31.

By leave, Senator Fountain submitted a petition of the citizens of Starr county in behalf of Juan N. Cortina. Petition read and ordered to be filed with Senate joint resolution No. 29, for the relief of Juan N. Cortinas.

By leave, Senator Bowers submitted the following report of Select Committee on the veto message of the Governor on Senate bill No. 101.

COMMITTEE ROOM,
AUSTIN, May 18, 1871.

Hon. DON CAMPBELL,

President of the Senate:

SIR: The Select Committee, to whom was referred the message of his Excellency, the Governor, returning, with his exceptions thereto, "An act to amend the first section of an act supplemental to an act entitled 'an act defining the office and duties of notaries public,' passed May 13, 1846, approved March 5, 1863," have had the same under consideration, and after thorough examination are satisfied the objections of the Governor are not well founded; they therefore recommend that the Senate, on reconsideration, pass the bill.

Respectfully submitted,

M. H. BOWERS,
for the Committee.

Report read and laid over under the rules.

Senator Hall offered the following resolution:

Resolved, That the use of the Senate Chamber be granted to the members of a Republican club for the purpose of holding a call meeting at 8 o'clock P. M. to-day. Adopted.

Under direction of the President, the Secretary returned to the House the following House bills, informing the House that the Senate had passed the same with amendments:

House Bill No. 460, "An act to authorize Howard Keyes to erect a toll bridge at Crockett's Bluff, on Sabine river."

Senate amendments to House bill No. 460: amend section five by striking out the word "five" in the second and third lines of said section, and insert in lieu thereof, in each instance, the word "three."

House bill No. 507, "An act to incorporate Llano Mining Company."

Senate amendment to House bill No. 507: amend by striking out section six, and change the number of section seven to section six.

House bill No. 605, "An act to incorporate the town of Yorktown."

Senate amendment to House bill No. 605 : Amend section three, line seven, insert after the word "alderman" the following words, "and shall be required to take the oath prescribed by the Constitution of the State of Texas."

Also, without amendments, House bills as follows :

House bill No. 166, "An act to incorporate the Germania at Fayetteville."

House bill No. 212, "An act to amend the seventy-first and ninety-second sections of 'an act to regulate proceedings in the district courts,' approved May 13, 1846."

House bill No. 235, "An act to prohibit the sale of intoxicating liquors within certain limits of Tennessee Colony High School, in the town of Tennessee Colony, in Anderson county."

House bill No. 284, "An act to incorporate the Austin Homestead Building Association."

House bill No. 322, "An act authorizing and regulating the sale of the university lands."

House bill No. 331, "An act to incorporate the Excelsior Transfer and Transportation Company."

House bill No. 498, "An act to authorize the County Court of Harris county to issue bonds for the purpose of funding the indebtedness of said county, and to provide for their payment."

House bill No. 603, "An act to amend section twenty-nine of an act entitled 'an act to incorporate the city of Dallas, in Dallas county.'"

10:30 o'clock A. M.

The hour having arrived for consideration of special order, report of Select Committee on resolution relative to centennial celebration of the anniversary of the independence of the United States, Senator Flanagan submitted the following report :

COMMITTEE ROOM,

AUSTIN, May 18, 1871.

Hon. DON CAMPBELL,

President of the Senate :

SIR : Your Select Committee, to whom was referred Senate resolution, asking the appointment of a committee to confer with like committees from other States, touching Centennial Celebration at Philadelphia in 1876, have had the same under consideration, and beg leave to recommend the passage of following concurrent resolution.

WEBSTER FLANAGAN,
A. J. FOUNTAIN,
W. H. PARSONS.

Senate concurrent resolution No. 8, concurrent resolution of the Senate and House of Representatives of the State of Texas :

Be it resolved, By the Senate of the State of Texas, the House of Representatives concurring :

WHEREAS, The Governor of the State of Pennsylvania has forwarded through the Governor of Texas to the Legislature of Texas, joint resolution of the several Assemblies of Pennsylvania, approved March 8, 1871, to-wit: "That the Governor and three persons appointed by him, Wm. A. Wallace and James H. Webb, Speakers of the Senate and House, with three members of each branch of the Legislature, to be appointed by the Speakers of the Senate and House respectively, shall be a committee of Pennsylvania to co-operate with committees from other States and local committees upon the subject of the Centennial Celebration at Philadelphia, in the year one thousand eight hundred and seventy-six, said committee to stand until that time, and to report at each intervening Legislature, and make such suggestions and recommendations, from time to time, to the Legislature, as they may think proper and expedient in reference to said Centennial Celebration;"

Whereas, The Governor of Pennsylvania, in addition to the above resolution of the several Assemblies of his State, also, communicates the fact of the object of said appointment as follows :

One of the most prominent objects of this resolution is to perfect the necessary preliminary organization at the earliest practicable date, and to gather all necessary information and material to facilitate the operations of the United States Board of Commissioners, to be appointed by the President of the United States, upon the recommendation of the Governors of the different States and Territories, in accordance with an act of Congress "To provide for celebrating the one hundredth anniversary of American Independence, by holding an international exhibition of arts, manufactures and products of the soil and mines, in the city of Philadelphia, and State of Pennsylvania, in the year eighteen hundred and seventy-six."

It is desired and intended that this Centennial Celebration shall be the grandest fair that has ever taken place, and it is highly important that every possible means shall be employed for the attainment of that object; and

Whereas, In furtherance of this grand national object of a Centennial Anniversary Celebration and International Exhibition, the Governor of Pennsylvania urges the Legislature of Texas to appoint a special committee, to co-operate with the committee of Pennsylvania, in conformity with the provisions of the joint resolution of that State, be it hereby

Resolved, That the Governor of the State, with three persons to be appointed by him, the President of the Senate, with three Senators to be appointed by him, and the Speaker of the House, with three members of the House to be appointed by him, shall be a committee to co-operate with the committee of Pennsylvania in furtherance of the Centennial Celebration of 1876, with like power and authority as conferred upon the special committee of Pennsylvania, in conformity with the joint resolution of its General Assembly, passed March 8, 1871.

Report and resolution (Senate concurrent resolution No. 8) read.

On motion of Senator Fountain, the rules were suspended and Senate concurrent resolution No. 8 adopted.

Senator Fountain moved that, in future, all House bills should remain on the President's table until acted upon by the Senate, unless a motion should be made to refer to a committee. Carried.

BILLS AND RESOLUTIONS.

By Senator Flanagan: a bill (Senate bill No. 429) to be entitled "An act to provide for a special registration of voters preparatory to any election under the provisions of 'an act to authorize counties, cities and towns to aid in the construction of railroads and other works of internal improvements, approved April 12, 1871,' and to declare who shall be considered qualified voters at any election held under the provisions of said act." Read first time.

Senator Hertzberg introduced the following bills:

Senate bill No. 430, to be entitled "An act supplementary to 'an act to organize and maintain a system of free schools in the State of Texas.'" Read first time, and, on motion of Senator Hertzberg, referred to the Committee on Education.

Senate bill No. 431, "An act to establish a criminal court in San Antonio." Read first time.

Senate bill No. 432, "An act to further amend an act entitled 'an act to provide for districting the State of Texas into judicial districts, approved July 2, 1870.'" Read first time.

Senate bill No. 433, "An act further to amend an act entitled 'an act prescribing the times of holding the district courts in the several judicial districts in the State,' approved August 10, 1870." Read first time.

On motion of Senator Ford, the rules were suspended to take from file House bill No. 338, "An act to confer additional authority on the Waco and Northwestern Railroad Company." Read second time.

11 o'clock, A. M.

The hour having arrived for consideration of special orders, Senate bill No. 364 and substitute Senate bill No. 364, "An act to establish a manual labor poor house and convict labor system in each county in the State," and House bill No. 606, "An act supplemental to an act entitled 'an act to incorporate the Bolivar Point, Eastern Texas and Red River Railroad Company,' passed August 3, 1870."

On motion of Senator Dohoney, the special orders were postponed until the matter pending be disposed of.

[Senator Pickett called to the Chair.]

Consideration of House bill No. 338 resumed.

Senator Ford offered the following amendment: Amend section one line two, strike out the words "the directors of." Adopted.

By leave Senator Ruby submitted the following report of Committee on Engrossed Bills:

COMMITTEE ROOM,
AUSTIN, May 18, 1871.

Hon. DON CAMPBELL,

President of the Senate:

SIR: Your Committee on Engrossed Bills, having examined and compared Senate joint resolution No. 37, "Instructing our Senators and requesting our Representatives in Congress to use their influence in the passage of such an act by the United States Congress as shall incorporate the name of Commodore John G. Tod in the navy of the United States, in the same rank held by him in the Texas navy at the date of annexation;" also, Senate bills No. 332, "An act regulating appeals in criminal cases;" and No. 428, "An act to incorporate the 'C' Sugar and Tobacco Planting Association;" find the same to be correctly engrossed.

G. T. RUBY,
E. L. DOHONEY,
P. W. HALL.

Report read and received, and Senate bill No. 332 and Senate joint resolution No. 37, carried to the House for concurrence.

Under the direction of the President, the Secretary returned to the House, House bill No. 578, "An act to define and establish the boundary line between the counties of Live Oak and Nueces," informing the House that the Senate had passed the same without amendments.

Also, transmitting for signature of the Speaker the following Enrolled Senate bills:

Senate joint resolution No. 16, "In relation to payment of salaries of district judges."

Substitute for Senate bill No. 202 "An act to authorize the city council of the city of Austin to construct a bridge across the Colorado river."

Senate bill No. 406, "An act authorizing Jacob Carroll to construct a toll bridge across Peach creek, in Gonzales county."

Senate bill No. 427, "An act to incorporate the Austin Council No. 94, Friends of Temperance."

Enrolled bills signed by the Speaker, returned to the Senate and signed by the President in open session.

Consideration of House bill No. 338 resumed.

Senator Ford offered the following amendment: Amend section two, line one, strike out all after the word "the" down to and including the word "also," in line seven, and insert the following words: "company are hereby authorized." Adopted.

Senator Hall offered the following amendments: Amend section two, line twelve, strike out the word "easterly," and in line thirteen strike out the words "and southerly" and insert the words "southeasterly and west of the West Fork of the San Jacinto River." Adopted.

Also, amend section two, line fourteen, by inserting after the word "railroad" the words "west of the San Jacinto river;" also, amend same section, line seventeen, by striking out "Trinty" and inserting "San Jacinto." Adopted.

Senator Ford offered the following amendments: Amend section two, lines thirty-one and thirty-two, strike out the words "or hereafter shall be." Adopted.

Also, amend same section, line thirty-nine, strike out the words "docks, wharves." Adopted.

Also, amend same section, line forty-three, insert after the word "State" the words "on the line of their road." Adopted.

Also, amend same section, lines forty-three and forty-four, strike out the words "seriously or materially." Adopted.

Also, amend same section, line forty-seven, strike out the words "one or more" and insert "a." Adopted.

Also, amend same section, line forty-eight, strike out the words "lines over" and insert the word "line;" same line, strike out the words "or near." Adopted.

Also, amend same section, line forty-nine, insert after the word "railroad" the following words "as incident to and to facilitate the business thereof." Adopted.

Also, amend same section, lines seventy-one, seventy-two, seventy-three and seventy-four, strike out the following words, "also to support, maintain, hold, use, sell and convey one or more steamboats to be used in or on the adjoining bayous or rivers." Adopted.

Also, amend same section, line seventy-eight, strike out the word "steamboats."

Also, amend same section, line eighty-two, insert after the word "same" the following words, "on the line or termini of their route." Adopted.

Also, same section, line ninety-one, strike out all of said section after the word "railway." Adopted.

On motion of Senator Ford, the further consideration of House bill No. 338 was postponed and the bill made special order for tomorrow, at 11 o'clock A. M., and at that hour from day to day until finally disposed of.

Postponed special order, Senate bill No. 364 and substitute Senate bill No. 364, "An act to establish a manual labor, poor house and convict labor system in each county in the State."

11:30 o'clock A. M.

The hour for consideration of special orders having arrived, Senate bill No. 419, "An act concerning private corporations;" and

Veto message of the Governor on Senate bill No. 101, "An act to amend the first section of an act supplemental to an act entitled 'an act defining the office and duties of notaries public,' passed May 13, 1846, approved March 5, 1863."

On motion of Senator Ruby, the special orders were postponed until the postponed special orders (Senate bill No. 364 and substitute Senate bill No. 364, and House bill No. 606) should be disposed of.

Consideration of Senate bill No. 364, resumed: Bill read second time, and

On motion of Senator Dohoney, the substitute reported by the Committee on Judiciary (substitute Senate bill No. 364, "An act to establish a manual labor, poor house and convict labor system in each county in the State) was adopted, ordered engrossed and passed to a third reading.

On motion of Senator Mills, the rules were suspended and substitute Senate bill No. 364 was read third time and passed.

Message from the House by the Chief Clerk, Mr. Ketchum, informing the Senate that the House had passed, without amendments, the following Senate bills:

Substitute for Senate bill No. 149, "An act to incorporate the Sabine and Neches Bridge Company."

Senate bill No. 210, "An act to incorporate the San Gabriel Bridge Company."

Senate bill No. 232, "An act to incorporate the Dallas and Kaufman East Fork Bridge Company."

Senate bill No. 262, "An act to establish a bridge across the

San Gabriel river, at or near the Compton crossing, below the mouth of Brushy creek."

Senate bill No. 337, "An act to incorporate the Hearne and Little Brazos Bridge Company."

Senate bill No. 338, "An act to incorporate the Little Brazos and Robertson County Bridge Company."

Senate bill No. 372, "An act to authorize certain persons therein named to erect a toll bridge across Harris creek, in Smith county."

Senate bill No. 403, "An act to authorize the citizens of Wallace's Prairie, in Grimes county, to erect gates across the public roads in said prairie."

Also, transmitting for concurrence the following House bills:

House bill No. 52, "An act to prohibit the sale of intoxicating liquors within certain limits of Birdville, Tarrant county, Texas."

House bill No. 524, "An act to incorporate the Fredericksburg Social Turnverein."

And informing the Senate that the House has indefinitely postponed the following Senate bills, viz:

Senate bill No. 261, "An act to encourage the immigration of communities of persons skilled in the arts of spinning and weaving cotton and wool, and dying and printing fabrics of the same, from the several cities in Alsace and Lorraine."

Senate bill No. 80, "An act for the relief of S. B. Buckley, late assistant State Geologist."

POSTPONED SPECIAL ORDER.

House bill No. 606, "An act supplemental to an act entitled 'an act to incorporate the Bolivar Point, Eastern Texas and Red River Railroad Company,' passed August 3, 1870."

On motion of Senator Douglass, the special order was further postponed for five minutes.

On motion of Senator Douglass, the rules were suspended to take from file House bill No. 505, "An act to encourage the speedy construction of a railway through the State of Texas to the Pacific Ocean," and, on motion of Senator Douglass, House bill No. 505, made special order for 4:30 P. M. to-day.

Consideration of postponed special order, House bill No. 606, resumed.

Bill read second time.

Senator Mills offered the following amendment, after the words in section one, "to connect its line of road," insert "so as to make a connected line of trunk road running in the same general direction." Adopted.

Senator Broughton offered the following amendment: Amend by changing section two to section three, and substituting for section two the following: "Section 2. The rights and franchises hereinbefore mentioned, shall inure to the benefit of the said Bolivar Point, Eastern Texas and Red River Railroad Company, only upon the condition that they shall construct their railroad from Liberty to Crockett, in Houston county, and from thence to Palestine in Anderson county, and from thence to Athens, in Henderson county, and from thence to Kaufman, in Kaufman county, and from thence to Sherman, in Grayson county, and from thence to a point on Red River between Warren and Preston, and the said company shall have the right to commence the construction of their main trunk road at either or both ends, and all the road constructed on either end of the line, shall at all times be computed in their favor in determining the question of forfeiture."

Senator Gaines moved to lay House bill No. 606 on the table, yeas and nays called for and motion to lay on the table lost by the following vote:

Yeas—Baker, Broughton, Cole, Dohoney, Ford, Gaines—6.

Nays—Bell, Bowers, Douglass, Flanagan, Hertzberg, Hillebrand, Latimer, Mills, Parsons, Pettit, Pickett, Pridgen, Pyle, Rawson, Ruby, Saylor, Shannon, Tendick—18.

The question recurring upon the amendment offered by Senator Broughton, yeas and nays called for, and amendment lost by the following vote:

Yeas—Mr. President, Baker, Bell, Broughton, Cole, Douglass, Ford, Gaines, Pridgen, Rawson, Shannon—11.

Nays—Bowers, Dohoney, Flanagan, Fountain, Hertzberg, Hillebrand, Latimer, Mills, Parsons, Pettit, Pickett, Pyle, Saylor, Tendick—14.

On motion of Senator Gaines, the Senate at 12:40 o'clock P. M. adjourned to 4 o'clock P. M. to-day.

AFTERNOON SESSION.

4 o'clock P. M.

Senate met pursuant to adjournment; President Campbell presiding.

Roll called; quorum present.

Absent—Senators Ford, Fountain, Mills, Parsons, Pridgen and Tendick.

Absent—excused—Senator Evans.

Special message from the Governor by his Private Secretary, Mr. Britton, as follows:

GOVERNOR'S OFFICE,
AUSTIN, May 18, 1871.

To the Honorable Senate and House of Representatives of the State of Texas:

GENTLEMEN: I have the honor to inform you that the following named bills have been received by me and approved, to-wit:

House bill No. 188, "An act to incorporate the officers and members of Humboldt Lodge No. 94, I. O. O. F., of Victoria," approved May 16, 1871.

House bill No. 152, "An act to incorporate the Howard Institute of Waco, Texas," approved May 16, 1871.

House bill No. 332, "An act to incorporate the town of Henderson, in the county of Rusk," approved May 16, 1871.

House bill No. 396, "An act to incorporate the Austin Trust Company," approved May 16, 1871.

House bill No. 246, "An act to incorporate the city of Galveston, and to grant a new charter to said city, and to repeal all acts heretofore passed incorporating said city, which may be in force by virtue of any existing charter," approved May 16, 1871.

Senate bill No. 47, "An act to incorporate Lamar Female Seminary," approved May 17, 1871.

Senate bill No. 328, "An act to incorporate the International Insurance Company," approved May 17, 1871.

Senate bill No. 75, "An act to incorporate the Austin Gas Company," approved May 17, 1871.

Senate bill No. 187, "An act to incorporate the Navarro Jockey Club," approved May 17, 1871.

Senate bill No. 190, "An act to incorporate the town of Longview in Upshur county," approved May 17, 1871.

Senate bill No. 265, "An act to incorporate the Paris Real Estate and Banking Association," approved May 17, 1871.

Senate bill No. 71, "An act to incorporate the Marion County

Agricultural, Mechanical and Blood Stock Association," approved May 17, 1871.

Senate bill No. 254, "An act to incorporate the Texas Dental College," approved May 17, 1871.

Senate bill No. 268, "An act to incorporate the Texas Dental Association," approved May 17, 1871.

Senate bill No. 233, "An act to incorporate the Stock Trader's Bank," approved May 17, 1871.

Very respectfully,

EDMUND J. DAVIS,

Governor.

Message read.

UNFINISHED BUSINESS.

House bill No. 606, "An act supplemental to an act entitled 'an act to incorporate the Bolivar Point, Eastern Texas and Red River Railroad Company,' passed August 3, 1870."

Senator Dohoney offered the following amendment: Amend section one, line twenty-six, by inserting after the words "Red River," these words "passing within one mile of the town of Bonham, in Fannin county, Texas."

Yeas and nays called for, on adoption of the amendment, and amendment lost, by the following vote:

Yeas---Baker, Bell, Dohoney, Douglass, Gaines, Shannon---6.

Nays---Mr. President, Bowers, Broughton, Cole, Flanagan, Fountain, Hertzberg, Hillebrand, Latimer, Mills, Pettit, Pickett, Pyle, Ruby, Saylor, Tendick---16.

Senator Cole offered the following amendments: Amend section one, line forty-nine, strike out the word "Randolph" and insert "and." Lost.

Also, strike out all of said section after the word "Palestine."

4:30 o'clock, P. M.

Pending action on amendment, the hour for consideration of special order, House bill No. 505, "An act to encourage the speedy construction of a railway through the State of Texas to the Pacific Ocean." Read third time.

Senator Pettit offered the following amendment; "*provided*, said roads shall pass within the corporate limits of the county seats of the several counties through which they may pass."

Senator Flanagan moved to lay the amendment on the table.

Yeas and nays called for, and motion to lay on the table carried by the following vote:

Yeas---Mr. President, Baker, Bell, Broughton, Cole, Dohoney,

Douglass, Flanagan, Ford, Fountain, Gaines, Hall, Hertzberg, Hillebrand, Latimer, Mills, Parsons, Pridgen, Pyle, Rawson, Saylor, Shannon, Tendick—23.

Nays—Bowers, Pettit, Pickett—3.

Senator Bowers offered the following amendment: Amend section one by striking out all after the word "be," in line thirty-six, down to and inclusive of the word "Washington," in line thirty-eight of printed bill, and insert in lieu thereof the words "West of the longitude of the eastern boundary line of Shackelford county." Adopted.

Senator Dohoney offered the following amendment: Move to amend section one in line 59, by inserting after the word "company" these words: "*provided*, that said company, in the construction of their road, shall not depart from the established survey of the Memphis, El Paso and Pacific Railroad, at or near the towns of Clarksville and Paris." Lost.

Senator Flanagan moved that the bill (House bill No. 505) do now pass.

[Senator Dohoney called to the Chair.]

Senator Flanagan moved a call of the Senate. Call sustained.

Absent—none.

Absent—excused—Senator Evans.

On motion of Senator Flanagan, call was suspended.

The question being on the final passage of House bill No. 505—yeas and nays called for and House bill No. 505 passed, by the following vote:

Yeas—Mr. President, Baker, Bell, Bowers, Broughton, Cole, Dohoney, Douglass, Flanagan, Ford, Fountain, Gaines, Hall, Latimer, Mills, Parsons, Pridgen, Pyle, Rawson, Ruby, Saylor, Shannon, Tendick—23.

Nays—Hertzberg, Hillebrand, Pettit, Pickett—4.

Senator Flanagan moved to reconsider the vote passing House bill No. 505, and to lay the motion to reconsider on the table. Carried and the motion to reconsider was laid on the table.

The Secretary returned to the House, House bill No. 505 with the action of the Senate.

Senator Ruby submitted the following report of the Committee on Engrossed Bills:

COMMITTEE ROOM,
AUSTIN, May 18, 1871.

Hon. DON CAMPBELL,

President of the Senate:

SIR: Your Committee on Engrossed Bills, having examined and compared Senate concurrent resolutions No. 7, "In relation to the annexation of Santo Domingo to the United States;" and No. 8,

"In relation to the Centennial Celebration of 1876 ;" also, substitute for Senate bill No. 364, "An act to establish a Mannal Labor Poor House, and convict labor system in each county in the State," find the same to be correctly engrossed.

G. T. RUBY,
E. L. DOHONEY,
P. W. HALL.

Report read and received.

Senator Bowers moved that the Senate stand adjourned to 10 A. M. Saturday.

Yeas and nays called for and motion to adjourn lost by the following vote :

Yeas—None.

Nays—Mr. President, Baker, Bell, Bowers, Broughton, Cole, Dohoney, Douglass, Flanagan, Ford, Fountain, Gaines, Hillebrand, Latimer, Pettit, Pridgen, Pyle, Rawson, Ruby, Shannon, Tendick—21.

Under direction of the President, the Secretary of the Senate carried to the House for signature of the Speaker the following enrolled Senate bills :

Senate bill No. 182, "An act to incorporate the Tyler Tap Railroad Company."

Senate bill No. 329, "An act incorporating the Texas and Europe Steamship Company."

Senate bill No. 354, "An act to legalize certain acts of the County Court of Brazos county."

Senate bill No. 288, "An act incorporating the East Texas Road Steamer and Transportation Company."

Senate bill No. 384, "An act authorizing the Commissioner of the General Land Office to appoint four additional draftsmen for his department, and fixing the salaries and making an appropriation therefor."

Senate bill No. 403, "An act to authorize the citizens of Wallace's prairie, in Grimes county, to erect gates across the public road in said prairie."

Senate bill No. 407, "An act to incorporate the Navasota and Washington County Ferry Company."

Enrolled Senate bills signed by the Speaker, returned to the Senate and signed by the President in open session.

Message from the House by the Chief Clerk, Mr. Ketchum, returning Senate bill No. 393, "An act authorizing and requiring the county tax for the years 1870 and 1871, collected by other counties from persons and property situated in San Jacinto county, to be paid to San Jacinto county."

Also, transmitting for signature of the President the following Enrolled House bills:

House bill No. 148, "An act to incorporate Hook and Ladder Company No. 1, of the city of Bryan."

House bill No. 199, "An act to incorporate the Gymnastic Association of High Hill, Fayette county, Texas."

Senate substitute to House bill No. 200, "An act further regulating proceedings in the several courts of the State of Texas."

House bill No. 235, "An act to prohibit the sale of intoxicating liquors within certain limits of Tennessee Colony High School, in the town of Tennessee Colony, in Anderson county."

House bill No. 357, "An act making appropriations for the support of the State Government for deficiencies for the fiscal year ending August 31, 1871, and for the fiscal year beginning September 1, 1871, and ending August 31, 1872."

House bill No. 406, "An act to incorporate the Austin City Railroad Company."

House bill No. 586, "An act to incorporate the San Antonio and Victoria, Indianola and New Orleans Express and Transportation Company."

House bill No. 587, "An act to incorporate the San Antonio City Street Railroad Company."

House bill No. 599, "An act to authorize the Governor to prepare and issue bonds to an amount sufficient to meet any deficiency in the receipts of revenue for the years 1871 and 1872, and also providing for the payment of said bonds and interest thereon."

Enrolled bills signed by the President in open session and returned to the House:

Senator Pettit moved that the Senate stand adjourned to 10 A. M. to-morrow.

Yeas and nays called for, and motion to adjourn lost by the following vote:

Yeas—Hertzberg, Hillebrand, Pettit—3.

Nays—Mr. President, Baker, Bell, Bowers, Broughton Dohoney, Douglass, Flanagan, Ford, Fountain, Gaines, Latimer, Mills, Pyle, Rawson, Ruby, Shannon, Tendick—18.

Senator Pridgen submitted the following report of Committee on Enrolled Bills:

COMMITTEE ROOM,
AUSTIN, May 18, 1871.

Hon. DON CAMPBELL,

President of the Senate:

SIR: Your Committee on Enrolled bills have examined and find correctly enrolled the following Senate bills, to-wit: No. 202, enti-

tled "An act to authorize the City Council of Austin to construct a bridge across the Colorado river;" No. 406, entitled "An act authorizing Jacob Carroll to construct a toll bridge across Peach creek, in Gonzales county;" No. 427, entitled "An act to incorporate the Austin Council No. 94, Friends of Temperance;" No. 389, entitled "An act incorporating the North Texas Road Steamer Company;" also, Senate joint resolution No. 16, "In relation to the payment of salaries of district judges," and to-day, at 12 o'clock M., presented them to the Governor for his approval.

B. J. PRIDGEN,
Chairman.

Report read and received.

UNFINISHED BUSINESS.

House bill No. 606, "An act supplemental to an act entitled 'an act to incorporate the Bolivar Point, Eastern Texas and Red River Railroad Company,' passed August 3, 1870."

The question being on the following amendment, offered by Senator Cole: Strike out all of said section after the word "Palestine."

Message from the House, by Chief Clerk, Mr. Ketchum, informing the Senate that the House had concurred in all the Senate amendments to House bill No. 505, "An act to encourage the speedy construction of a railway through the State of Texas to the Pacific Ocean."

Senator Baker offered the following resolution, which was adopted:

Resolved, That the use of the Senate Chamber be tendered Professor Martino, for the purpose of a free Shakspearian reading, Friday night, May 19, 1871.

On motion of Senator Fountain, the Senate, at 6:45 o'clock P. M., adjourned to 10 o'clock A. M. to-morrow.
